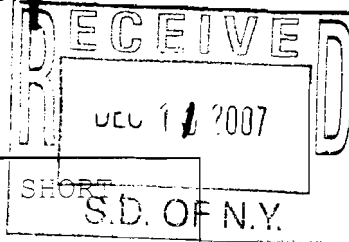


FILE COPY



UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MENTAL HYGIENE LEGAL SERVICE and SHAWN SHORT

Plaintiffs,

- against -

ELIOT SPITZER, in his official capacity as Governor of the State of New York, ANDREW CUOMO, in his official capacity as Attorney General of the State of New York, MICHAEL HOGAN, in his official capacity as Commissioner of the New York State Office of Mental Health, DIANA JONES RITTER, in her official capacity as Commissioner of the New York State Office of Mental Retardation and Developmental Disabilities, and BRIAN FISCHER, in his official capacity as Commissioner of the New York State Department of Correctional Services,

Defendants.

**DEFENDANTS'  
NOTICE OF  
APPEAL**

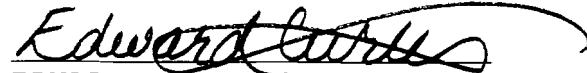
Docket  
Number

07-CV-2935  
(GEL) (THK)

Defendants ELIOT SPITZER, ANDREW CUOMO, MICHAEL HOGAN, DIANA JONES RITTER and BRIAN FISCHER, hereby appeal to the United States Court of Appeals for the Second Circuit from the Court's Preliminary Injunction and Order filed on December 10, 2007.

Dated: New York, New York  
December 11, 2007

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